

Customer No.: 31561
Docket No.: 22778-US-PA
Application No.: 10/688,625

REMARKS

Applicant appreciates that claims 6, 7 and 9-11 have been considered to be allowable.

Claims 1, 4-5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan et al. (U. S. Patent 6,624,945; hereinafter Fan). Applicant has amended claim 1 to improve clarity. After entry of the amendments, claims 1 and 4-11 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Discussion of Claim Rejections under 35 USC 102

Claims 1, 4-5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan. Applicant respectfully traverses the rejections for at least the reasons set forth below.

1. In responding to Office Action, Applicant respectfully states that the “wavelength-converting member” is functionally defined but not falls into “intended use”. However, Applicant still amends claim 1 to recite the material layer for clarity and structurally distinct to Prior art. Here, it should be noted that the material layer is a physical material but not like a free space of a cavity 102 of Fan.

The “wavelength-converting member” 4 is implemented between two reflectors 6.

2. In re Fan (see Fig. 1 or Fig. 2), the cavity 102, 202 is arranged between two reflector 104 and 106. As can be understood, the cavity 102 is a free space and is not a physical material layer. As previously discussed, the cavity 102 is in function to convert the wavelength.

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In addition, the Office Action is based on col. 2, lines 37-40 of Fan for the function of converting the primary light into the secondary light. Applicant respectfully disagrees. Fan in col. 2, lines 30-40 discloses a *band-pass filter* with a cavity region 102 between the mirrors 104 and 106. The mirror 104 is an omnidirectional reflector. However, the reflector does not converting the primary light into the secondary light in longer wavelength.

3. It should be further noted that the filter 100 of Fan is a wavelength filter, which is known as a passive component by the ordinary skill in the art. The passive component does not generate light. The cavity for the filter in Fan does not need the light generating function. The filter of Fan is to filter some undesired wavelength and let the desired wavelength band pass.

In the present invention, the LED is an active component, which needs to generate the desired light. The physical wavelength-converting member is needed to be connected to the light-generating unit. The wavelength-converting member has a material layer used to convert a portion of said primary light into a secondary light in a second wavelength range. The present invention is functionally distinct over the filter in prior art.

For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 patently define over the prior art, and should be allowed. For at least the same reasons, dependent claims 4-11 patently define over the prior art as well, in which claims 6-7 and 9-11 are allowable.

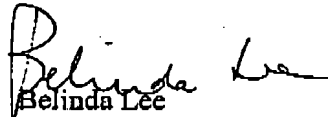
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CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1 and 4-11 of the invention patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,


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